

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 915

(Delegate Petzold, *et al.*)

Health and Government Operations

Finance

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**Tobacco Products - Display or Storage - Restrictions**

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This bill prohibits a cigarette retailer from displaying or storing a tobacco product in a place that is directly accessible to a purchaser unless the cigarettes are sold through a vending machine in a manner that conforms to existing law and regulations. Businesses that engage primarily in either the retail sale of beer, wine, and liquor or the sale of tobacco products other than cigarettes are exempt from this requirement.

The bill does not preempt the enactment or enforcement of local ordinances restricting the display or storage of tobacco products.

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**Fiscal Summary**

**State Effect:** None. Enforcement could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** Except in the case of vending machines, there are no restrictions on where cigarette retailers can display or store a tobacco product. Tobacco products can only be sold in vending machines if the cigarettes can only be purchased with a token or other device that must be purchased from an employee of the store in which the vending machine is located. Vending machines located in an establishment that minors are prohibited by law from entering or in a fraternal or veterans organization are exempt from this requirement.

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## **Additional Information**

**Prior Introductions:** HB 439 of 2003, a substantially similar bill, was not reported from the House Health and Government Operations Committee. HB 132 of 2002, a similar bill, received an unfavorable report from the House Environmental Matters Committee.

**Cross File:** None.

**Information Source(s):** Comptroller's Office, Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2004  
lc/jr Revised - House Third Reader - March 31, 2004

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Analysis by: Robert J. Rehrmann

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510